

1 JUSTIN J. BUSTOS (NV Bar No. 10320)  
Email: jbstos@dickinsonwright.com  
2 DICKINSON WRIGHT PLLC  
100 West Liberty Street, Suite 940  
3 Reno, NV 89501-1991  
Telephone: (775) 343-7500  
4 Facsimile: (844) 670-6009

5 HEIDI L. KEEFE (CA Bar No. 178960) (*Pro Hac Vice Forthcoming*)  
Email: hkeefe@cooley.com  
6 MARK R. WEINSTEIN (CA Bar No. 193043) (*Pro Hac Vice Forthcoming*)  
Email: mweinstein@cooley.com  
7 LOWELL D. MEAD (CA Bar No. 223989) (*Pro Hac Vice Forthcoming*)  
(lmead@cooley.com)  
8 PHILIP H. MAO (CA Bar No. 300711) (*Pro Hac Vice Forthcoming*)  
Email: pmao@cooley.com  
9 COOLEY LLP  
3175 Hanover Street  
10 Palo Alto, CA 94304-1130  
Telephone: (650) 843-5000  
11 Facsimile: (650) 849-7400

12 *Attorneys for Defendant Facebook, Inc.*

13 IN THE UNITED STATES DISTRICT COURT

14 FOR THE DISTRICT OF NEVADA

15  
16 SILVER STATE INTELLECTUAL  
TECHNOLOGIES, INC.,

17 Plaintiff,

18 v.

19 FACEBOOK, INC.,

20 Defendant.  
21

Case No. 2:17-cv-643-RFB-PAL

**STIPULATION AND JOINT REQUEST  
TO TRANSFER ACTION TO THE U.S.  
DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF  
CALIFORNIA;  
[PROPOSED] ORDER THEREON**

22  
23 **WHEREAS** plaintiff Silver State Intellectual Technologies, Inc. (“Plaintiff”) filed this suit  
24 for alleged patent infringement on March 1, 2017;

25 **WHEREAS** defendant Facebook, Inc. (“Defendant”) filed a motion on May 15, 2017  
26 seeking, among other things, transfer of this action to the U.S. District Court for the Northern  
27 District of California pursuant to 28 U.S.C. § 1400(b) and 28 U.S.C. § 1406 [ECF No. 14];  
28

1           **WHEREAS** on May 19, 2017, Plaintiff filed a First Amended Complaint [ECF No. 17];

2           **WHEREAS** on May 22, 2017, the United States Supreme Court decision handed down *TC*  
3     *Heartland LLC v. Kraft Foods Group Brands LLC*, No. 16-341 (May 22, 2017), with respect to the  
4     proper venue in patent infringement cases under 28 U.S.C. § 1400(b); and

5           **WHEREAS** in light of the Supreme Court's decision in *TC Heartland*, the parties have  
6     agreed to transfer this action to the U.S. District Court for the Northern District of California;

7           **NOW THEREFORE**, Plaintiff and Defendant, through their respective counsel of record,  
8     hereby stipulate and request that the Court order as follows:

9           1.       This action is hereby **TRANSFERRED** to the U.S. District Court for the Northern  
10    District of California pursuant to 28 U.S.C. § 1406(a); and

11          2.       Defendant shall have until fourteen (14) days after completion of the transfer to the  
12    Northern District of California to answer or otherwise respond to the Amended Complaint.

13           **IT IS SO STIPULATED.**

14  
15    Dated: May 23, 2017

Respectfully submitted,

16    /s/ Frederick S. Berretta  
17    R. Scott Weide (NV Bar No. 5541)  
18    E-mail: sweide@weidemiller.com  
19    F. Christopher Austin (NV Bar No. 6559)  
20    Email: caustin@weidemiller.com  
21    WEIDE & MILLER, LTD.  
22    Bank of Nevada Building  
23    5th Floor, Suite 530  
24    7251 West Lake Mead Blvd.  
25    Las Vegas, NV 89128  
26    Phone: (702) 382-4804  
27    Facsimile: (702) 382-4805  
28    Frederick S. Berretta (admitted *pro hac vice*)  
E-mail: fred.berretta@knobbe.com  
Edward C. Johnson (admitted *pro hac vice*)  
E-mail: eddie.johnson@knobbe.com  
KNOBBE, MARTENS, OLSON & BEAR,  
LLP  
12790 El Camino Real  
San Diego, CA 92130  
Phone: (858) 707-4000

/s/ Justin J. Bustos  
JUSTIN J. BUSTOS (NV Bar No. 10320)  
Email: jbustos@dickinsonwright.com  
DICKINSON WRIGHT PLLC  
100 West Liberty Street, Suite 940  
Reno, NV 89501-1991  
Telephone: (775) 343-7500  
Facsimile: (844) 670-6009  
  
HEIDI L. KEEFE (CA Bar No. 178960)  
(*Pro Hac Vice Forthcoming*)  
Email: hkeefe@cooley.com  
MARK R. WEINSTEIN (CA Bar No. 193043)  
(*Pro Hac Vice Forthcoming*)  
Email: mweinstein@cooley.com  
LOWELL D. MEAD (CA Bar No. 223989)  
(*Pro Hac Vice Forthcoming*)  
  
(lmead@cooley.com)  
PHILIP H. MAO (CA Bar No. 300711)  
(*Pro Hac Vice Forthcoming*)  
Email: pmao@cooley.com

1 Facsimile: (858) 707-4001  
2 *Attorneys for Plaintiff*  
3 *Silver State Intellectual Technologies, Inc.*

COOLEY LLP  
3175 Hanover Street  
Palo Alto, CA 94304-1130  
Telephone: (650) 843-5000  
Facsimile: (650) 849-7400

*Attorneys for Defendant*  
*Facebook, Inc.*

**IT IS SO ORDERED:**



---

RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED: June 7, 2017

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

F. Christopher Austin  
R. Scott Weide  
Weide & Miller, Ltd.  
7251 W. Lake Mead Blvd.  
Suite 530  
Las Vegas, NV 89128  
[caustin@weidemiller.com](mailto:caustin@weidemiller.com)

Frederick S. Berretta  
Edward C. Johnson  
Knobbe Martens Olson & Bear LLP  
12790 El Camino Real  
San Diego, CA 92130  
[Fred.berretta@kmob.com](mailto:Fred.berretta@kmob.com)

/s/ Cindy S. Grinstead  
An employee of Dickinson Wright PLLC